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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/808,366	03/25/2004	Benyahia Nasli-Bakir		4753

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EXAMINER

CHAN, SING P

ART UNIT	PAPER NUMBER
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1734

DATE MAILED: 12/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/808,366

Applicant(s)

NASLI-BAKIR ET AL.

Examiner

Sing P. Chan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) 28-30 is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 3/25/04, 7/27/04, 11/16/04, & 6/2/05
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____

DETAILED ACTION

Election/Restrictions

1. Applicant's election with traverse of group I, claims 1-27 in the reply filed on November 9, 2005 is acknowledged. The traversal is on the ground(s) that the raw material is (are) wood and will lead to a wooden product, not plastic product. This is not found persuasive because the method does not exclude using plastic product as raw material and the final product can include plastic material as one of the layers of laminate.

The requirement is still deemed proper and is therefore made FINAL.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over admitted prior art in view of Rohringer et al (GB 2,062,039) and Wiehn (U.S. 5,418,282).

Regarding claims 1, 15, and 27, the admitted prior art discloses a method of forming a wooden beam. The method includes wooden lamellae, applying a curable adhesive system to the wooden lamellae, assembling the wooden lamellae into an assembly, pressing the assembly under heat, curing the adhesive system, and planing the surface transversely to the plane of the adhesive application to remove excess adhesive and unevenness. (See Specification, Page 1, lines 16-26) The admitted prior

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art is silent as treating one or more planed side with treating substances reactive to one or more gaseous substances. However, treating one or more sides of a wooden beam with treating substances is well known and conventional as shown for example by Rohringer et al. Rohringer et al discloses a method for treating a timber with flameproof compound. The method includes providing a timber, providing a treating compound comprising component (a) of flameproof agent (Page 1, line 26) such as ammonium salts (Page 1, lines 67-74), component (b) of at least one fixing agent (Page 1, line 27), such as urea, cyanamides, and/or polyvinyl alcohols (Page 1, lines 85-118), component (c) of at least one blowing agent (Page 1, line 28), such as urea (Page 2, lines 97-115), and the timber is treated by dipping the timber in the composition in a continuous procedure (Page 3, lines 106-111), which will treat all surfaces including the planed surface of the laminated beam.

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to treat the laminated beam with the flameproof composition by dipping, which would treat all surfaces as disclosed by Rohringer et al in the method of admitted prior art to provide a flameproof treatment for wood or timber with a lower energy costs. (See Rohringer et al, Page 1, lines 14-19) The admitted prior art as modified by Rohringer et al is silent as to the composition is reactive to one or more gaseous substance. However, the composition as recited is both flameproof and reactive to gaseous substances as shown for example by Wiehn. Wiehn discloses a method of forming fire-resistant wood boards. The method includes providing a composition such as an additive comprising ammonium salt and urea (Col 2, line 57 to

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Col 3, line 15), to provide a reduction of formaldehyde release with large fire protection (Col 3, lines 50-62).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide a composition with ammonium salt and urea as both a fire-resistant and reactive to free formaldehyde as disclosed by Wiehn in the method of admitted prior as modified by Rohringer et al to provide a composition with excellent fire protection and reactive to free formaldehyde, i.e. gaseous formaldehyde. (See Wiehn, Col 3, lines 50-59)

Regarding claims 2-5, 7, 9, 16, 17, 19, and 21, the admitted prior discloses gaseous substances including formaldehyde, terpenes, aldehydes, and isocyanates are emitted from the exposed glue lines and from the planed surface. (See Specification, Page 1, lines 7-26)

Regarding claims 6, 8, 10, 11, 14, 18, 20, 22, 23, and 26, the admitted prior as modified above by Rohringer et al discloses the treating compound comprising component (a) of flameproof agent (Page 1, line 26) such as ammonium salts (Page 1, lines 67-74), component (b) of at least one fixing agent (Page 1, line 27), such as urea, cyanamides, and/or polyvinyl alcohols (Page 1, lines 85-118), component (c) of at least one blowing agent (Page 1, line 28), such as urea (Page 2, lines 97-115).

Regarding claims 12, 13, 24, and 25, The admitted prior art as modified above is silent as to the treating composition includes 1 to about 80% by weight of one or more treating substances and 0.02 to 10% by weight of a polymer. However, providing the components in the range such as 20 to 300 g/l of component (a), 0 to 60 g/l of

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component (b), and 0 to 150 g/l of component (c) is well known and conventional as shown for example by Rohringer et al. Rohringer et al discloses the composition comprising 20 to 300 g/l of component (a), 0 to 60 g/l of component (b), and 0 to 150 g/l of component (c), which is within the range as recited. (Page 3, lines 3-8)


It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the treating composition such as 20 to 300 g/l of component (a), 0 to 60 g/l of component (b), and 0 to 150 g/l of component (c) as disclosed by Rohringer et al in the method of admitted prior art as modified by combination of references to provide a flameproof treatment for wood or timber with a lower energy costs. (See Rohringer et al, Page 1, lines 14-19)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sing P. Chan whose telephone number is 571-272-1225. The examiner can normally be reached on Monday-Thursday 7:30AM-11:00AM and 12:00PM-4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher A. Fiorilla can be reached on 571-272-1187. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


SPC


CHRIS FIORILLA
SUPERVISORY PATENT EXAMINER

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